

EXHIBIT NO. 3
DATE 2-17-11
BILL NO. SB202

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Chairman Balyeat, Members of Senate Business, Labor & Economic Affairs Committee

I request to be on record as an **opponent** of **SB 202**, *a bill to shift serving hours of small breweries*, sponsored by Sen Zinke.

I also offer to be available, by cell phone or email, for any questions by committee members. As a Montana small brewery owner since 1994 and one of only two remaining individuals who participated in the original discussions and negotiations that created the current brewery tap rooms back in 1998, I may be able to share useful information and a unique historical perspective of how and why the current tap room hours were agreed upon. The other individual is Mark Staples, representative of the Montana Tavern Association.

While I agree that it may be time to make adjustments to some current brewery tap room statutes, this should occur only after necessary discussions in an attempt to reach consensus by affected parties. I believe this is possible as we proved back in 1998 when parties came to the unanimous agreement that created the Montana Tap Rooms that we enjoy today. I would offer to personally contribute any effort necessary to bring this to reality.

Unfortunately there are few involved today who were so in '98 and little effort has been extended to learn how and why we got where we are today. I'm of the opinion that knowing where we came from is beneficial to knowing how to best move forward.

The current statutes have allowed for a very successful business model that has permitted small Montana breweries to get a start and grow their business. Changes should be made carefully and thoughtfully so as not to do more harm than good.

Thanks for your time and for your service. Please don't hesitate to contact me if I can assist in any way.

Respectfully

Dennis Himmelberger